

by providing therein that the Residence Homestead as now defined by the Constitution of this State and five hundred dollars (\$500.00) worth of household and kitchen furniture belonging to each family in this state shall be exempt from taxation for State purposes and shall not be subject to a State Tax., etc.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Love:

S. J. R. No. 2, Proposing to amend the Constitution of the State of Texas by adopting a new section which shall provide that the supreme court of Texas may sit at any time during the year for the transaction of business, and that its terms shall begin and end with each calendar year, and repealing existing provisions in conflict therewith.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Love:

S. J. R. No. 3, Proposing to amend Section 5 of Article 4 of the Constitution of the State so as to provide that the Governor shall receive as compensation for his services an annual salary of twelve thousand (\$12,000.00) dollars and no more, and providing for an election upon such proposed amendment and making an appropriation therefor.

Read first time and referred to Committee on Constitutional Amendments.

• Adjournment

On motion of Senator Patton, the Senate, at 3:25 o'clock, adjourned until 10 o'clock Wednesday morning.

APPENDIX.

Committee Reports.

Committee Room,
Austin, Texas, Jan. 8, 1928.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred,

S. B. No. 1, A bill to be entitled "An Act to make an appropriation of the sum of one hundred eighty-

five thousand (\$185,000.00) dollars, or so much thereof as may be necessary, payable out of the General Revenue of the State of Texas, not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the 41st Legislature of the State of Texas, and to pay the contingent expenses of the Regular Session of the 41st Legislature of the State of Texas, and to pay any unpaid expenses incurred by the 40th Legislature of the State of Texas, and providing for the approval of accounts and declaring an emergency."

Have had the same under consideration and I am instructed to report back to the Senate that same do pass and be not printed.

POLLARD, Chairman

SECOND DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 9, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hyer.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Simple Resolution No. 6.

Senator McFarlane sent up the following resolution, which was read and laid on the table subject to call:

Whereas, State Senator Henry F. Triplett, 75, a former member of this Body and also a member of the Forty-first Senate, departed this life at his home early Friday, December 14, 1928, and

Whereas, Senator Triplett was serving his second term in the Senate from the Fourth Senatorial District, and

Whereas, For two decades Senator Triplett held a prominent position as an educator in the State, having held the position of superintendent of Beaumont schools for 16 years, during which time the system grew to be recognized all over the State, and

Whereas, He resigned as superintendent in 1919, but continued as chairman of the county school board and had written articles on education of literary value, and other works, including a novel on community civics, and his law books have been used as texts in the public schools of the State.

Senator Triplett was born in Lowden County, Virginia. He was a member of the board of stewards of the First Methodist Church, a director of the City National Bank and the San Jacinto Life Insurance Company, a thirty-third degree Mason, Knight Templar and member of El Mina Temple Shrine, past president of the State Teachers Association, etc.; therefore, be it

Resolved, That the Senate of the State of Texas regrets the loss of its valued member and extends to Senator's Triplett's family its sympathy in their bereavement, and that a copy of this resolution be forwarded to his family by the Secretary of the Senate. That a page of the Senate Journal be set aside and that the Senate adjourn today in honor of his memory.

McFarlane, Parr, Williamson, Love, Parrish, Woodward, Patton, Greer, Stevenson, Small, DeBerry, Neal, Russek, Woodul, Thomason, Hardin, Berkeley, Hyer.

Senate Concurrent Resolution No. 2.

Senator Pollard sent up the following resolution:

Be it Resolved by the Senate of

Texas, the House of Representatives concurring, That the President of the Senate appoint five Senators and the Speaker of the House of Representatives appoint five members of the House of Representatives, to count votes in the recent election for Governor and Lieutenant Governor, and to make all necessary arrangements for their inauguration.

The resolution was read and adopted.

Bills and Resolutions.

By Senator Woodward:

S. B. No. 28, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927 relating to the organization of the Fifty-first (51) Judicial District of the State of Texas; reorganizing the same; naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth (35) Judicial District of the State of Texas; reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; creating the One Hundred and Ninth (109) Judicial District of Texas, designating the counties constituting said district; fixing the term for holding court in the several counties therein; providing for the appointment of a judge and a district attorney for said One Hundred and Ninth (109) Judicial District; providing that the present judge of the Fifty-first (51) Judicial District and the present judge of the Thirty-fifth (35) Judicial District shall continue to hold office during the term for which they were elected and until their successors are duly elected and qualified; giving to the judges of the Fifty-first (51) Judicial District and the One Hundred and Ninth (109) Judicial District the power and authority to transfer cases from one court to the other; authorizing the commissioners' court of Tom Green County, Texas, to provide suitable court rooms and offices necessary to the holding of court in Tom Green County for the Fifty-first (51) and One Hundred and Ninth (109) Judi-

cial District Court; providing that the district clerk of Tom Green County, Texas, shall be clerk of the newly created One Hundred and Ninth Judicial District of Texas in Tom Green County, Texas, in both the Fifty-first and One Hundred and Ninth Judicial Districts of Texas; validating all process, writs, bonds and recognizances of every kind or character heretofore issued and entered into and all grand and petit jurors selected and drawn under existing laws in the various counties affected by this Act; describing the respective duties of the district attorneys for the Fifty-first and One Hundred and Ninth Judicial Districts of Texas respectively in Tom Green County, Texas; fixing their compensation; providing that if any provision of this Act shall be held unconstitutional, such holding shall not affect the remaining provisions; and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Woodward:

S. B. No. 29, A bill to be entitled "An Act to amend Article 4655 of the Revised Civil Statutes of the State of Texas of 1925, by adding thereto the following, to-wit: 'provided, however, that when any writ of injunction is accompanied with a true and correct copy of plaintiff's petition, it shall not be necessary for the citation in the original suit to be accompanied with a copy of plaintiff's petition nor contain any statement of the nature of plaintiff's demand; but it shall be sufficient for said citation to refer to plaintiff's cause of action as set forth in a true and correct copy of plaintiff's petition which accompanies the writ of injunction, and declaring an emergency.'"

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 30, A bill to be entitled "An Act to repeal Article 28 of the Revised Civil Statutes of the State of Texas of 1925, relating to the publication in newspapers of legal notices and amending Article 3334 of the Revised Civil Statutes of the State of Texas of 1925, as amended by the Acts of the Fortieth Legislature of the State of Texas in Chapter 81 of the Session Laws thereof, so as to eliminate that portion of said

article reading as follows, to-wit: 'provided if publication of such citation be made as provided by Article 28, Revised Civil Statutes of 1925, such publication shall be sufficient service of citation without posting said notices,' and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 31, A bill to be entitled "An Act amending Article 7471 of the Revised Civil Statutes of the State of Texas of 1925 so as to provide that in the appropriation of waters as defined in Article 7467 of the Revised Civil Statutes of 1925, all rights conferred in, through or by the appropriation of water for power purposes, shall hereafter be subordinate to and remain subordinate to the rights of the State to grant appropriations for the use of such waters for municipal, domestic, and irrigation purposes, any law to the contrary notwithstanding, and amending Article 7472 of the Revised Civil Statutes of the State of Texas of 1925, by adding thereto the following to-wit: 'provided, however, that all waters hereafter appropriated for power purposes shall be subordinate and remain subordinate to the rights of the State to grant appropriations for the use of such waters for municipal, domestic and irrigation purposes,' any law to the contrary notwithstanding; and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation, and Drainage.

By Senator Woodward:

S. B. No. 32, A bill to be entitled "An Act to amend Article 1020 of the Code of Criminal Procedure of the State of Texas for 1925 so as to provide that in cases where an examining trial is held charging the offense of murder, rape, burglary, burglary of a private residence, theft of property of the value of fifty (\$50.00) dollars or over, or robbery, and the defendant is thereafter indicted by the grand jury, the examining trial fees of the sheriff shall be the same as provided by Articles 1029 and 1030 of the Code of Criminal Procedure for executing process, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 33, A bill to be entitled "An Act providing that when a person is convicted of a felony and the punishment assessed is only a fine or a jail sentence, or both, that the judgment may be satisfied in the same manner as a conviction for a misdemeanor is by law satisfied, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 34, A bill to be entitled "An Act to amend Article 1557 of Chapter 17, Title 17, of the Penal Code of the State of Texas of 1925, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 35, A bill to be entitled "An Act to amend Article 534 Title 10, Chapter 7, of the Penal Code of the State of Texas, Revision of 1925, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 36, A bill to be entitled "An Act to amend Article 1052, Title 15, Chapter 3, of the Code of Criminal Procedure of the State of Texas, Revision of 1925, so as to provide fees for the courts in misdemeanor cases, and to relieve the courts of any interest in the result of the trial, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 37, A bill to be entitled "An Act to amend Article 1074, Title 15, Chapter 4, of the Code of Criminal Procedure of the State of Texas, Revision of 1925, so as to provide also a trial fee in justices courts in misdemeanor cases, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 38, A bill to be entitled "An Act to repeal Articles 1066 and

1071, Title 15, Chapter 4, of the Code of Criminal Procedure of Texas, Revision of 1925, allowing fees to justices of the peace in misdemeanor cases, so that such justices will no longer have a pecuniary interest in the conviction of an accused person, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 39, A bill to be entitled "An Act to amend Article 951, Title 12, Chapter 3, of the Code of Criminal Procedure of the State of Texas, Revision of 1925, so as to not allow a justice of the peace any commissions on fines, thereby further relieving him of any interest in a misdemeanor case, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodul:

S. B. No. 40, A bill to be entitled "An Act to amend Subdivision 3, of Article 3926, Revised Statutes, 1925, relating to the payment of salary to the county judge by the commissioners' court for presiding over said court, ordering elections, making returns thereof, hearing and determining civil causes, and transacting all other official business, by providing that in counties having \$290,000.-000.00 assessed valuation, or more, and which have established therein institutions for the care of dependent and delinquent boys and girls, the county judge shall receive the further sum of \$3,000.00 per annum which shall be ex officio and not to be accounted for as fees of office, but in addition to all amounts allowed under the maximum fee bill, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Woodul:

S. B. No. 41, A bill to be entitled "An Act to amend Article 5510 of the Revised Civil Statutes of the State of Texas so as to limit the amount of land that may be recovered under the ten-year statute, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodul:

S. B. No. 42, A bill to be entitled "An Act to add to the Revised Civil Statutes Article 5510A, providing that all claims asserted by anyone not holding under a written memorandum of title duly registered, under the ten years Statute of Limitation, under what is commonly called the 160 Acre Statute, or its predecessor, the 640 Acre Statute, shall assert such claim by filing suit therefor against the owner of the record title in a court of competent jurisdiction before June 1, 1934, or such claim or title shall not thereafter be asserted in the State as against the record owner of said land, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodul:

S. B. No. 43, A bill to be entitled "An Act to amend Article 5513 of the Revised Civil Statutes of Texas by adding thereto a proviso to the effect that the defense of innocent purchaser shall be available against such limitation claims, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodul:

S. B. No. 44, A bill to be entitled "An Act to amend Article 1379 of the Penal Code of the State of Texas, so as to increase the penalty from a fine of not less than ten nor more than five hundred dollars, to confinement in the penitentiary for not less than one nor more than five years, and to define 'owner' as therein used, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodul:

S. B. No. 45, A bill to be entitled "An Act making certain appropriations out of the general revenue of the State for the payment for the construction of certain new buildings for certain eleemosynary institutions of the State, as named herein, for the two fiscal years beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator McFarlane:

S. B. No. 46, A bill to be entitled

"An Act to amend Section 1 of an Act passed by the Regular Session of the Thirtieth Legislature, Chapter 12, Special Laws, entitled, 'An Act creating an independent school district to be known as the Quanah Independent School District, including within its limits the municipal corporation of the town of Quanah, Hardeman County, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board, so as to add certain territory lying and being adjacent to Quanah Independent School District in Common Consolidated School District No. 16, in Hardeman County, Texas, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McFarlane:

S. B. No. 47, A bill to be entitled "An Act authorizing the commissioners' court of Young County, Texas, to pay their traveling expenses while supervising highway construction; limiting the amount of said expense; providing same shall terminate January 1, 1931; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Thomason:

S. B. No. 48, A bill to be entitled "An Act to amend Article 1379 of the Penal Code of the State of Texas, so as to increase the penalty from a fine of not less than ten nor more than five hundred dollars, to confinement in the State penitentiary for not less than one nor more than five years, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Williamson:

S. B. No. 49, A bill to be entitled "An Act to create the State Board of Pharmacy, providing for its appointment, terms and tenure of of-

office and its members, defining its duties and powers; and to regulate the practice of pharmacy, and providing for the licensing of pharmacists and regulating the distribution, compounding and sale of medicines, drugs, chemicals and poisons in the State of Texas; defining the terms pharmacist, pharmacy, drug store, and Board; providing penalties, and repealing all existing laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senators Williamson and Wirtz:

S. B. No. 50, A bill to be entitled "An Act making an emergency appropriation of \$650.00 to provide for furniture and fixtures for the Court of Civil Appeals of the Fourth Supreme Judicial District of Texas, at San Antonio, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hornsby:

S. B. No. 51, A bill to be entitled "An Act making it unlawful for the taking of any chicken, turkey, duck, goose, guinea or other domestic fowl; making such offense a felony; prescribing punishment therefor; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Love, Witt, Hornsby, et al:

S. B. No. 52, A bill to be entitled "An Act to regulate the practice of law in Texas, to create the State Bar of Texas, to provide its powers and duties and for the regulation of the conduct of its affairs, to authorize and empower said State Bar to make rules subject to the approval of the Supreme Court for the regulation of the practice of the law in this State, and for the admission to the practice of law in this State, and for the reprimand, suspension or disbarment for cause of such practitioners, and for their re-instatement, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Love:

S. B. No. 53, A bill to be entitled "An Act to provide for the better enforcement of the criminal laws by

establishing the Board of Criminal Law Administration, whose duty it shall be to appoint the Commissioner of Corrections, and to maintain a bureau for the identification of criminals, and for collecting, tabulating, digesting and publishing statistics of crimes and criminals, and their apprehension, trial and punishment, together with recommendations thereon; by requiring certain local officers to furnish the finger prints, photographs and information required by said Board; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Love:

S. B. No. 54, A bill to be entitled "An Act to amend Article 2963 of Chapter 5, Title 50, of the Revised Civil Statutes of 1925, so as to allow the mailing of poll tax receipts in certain cases, and providing for the mailing of poll tax receipts to persons in cities of ten thousand inhabitants and more where the poll tax payer pays his property and poll tax by check or money order."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Love:

S. B. No. 55, A bill to be entitled "An Act to amend Article 3159, Chapter 13, Title 50, of the Revised Civil Statutes of 1925, relating to the nomination of non-partisan and independent candidate for public office."

Read first time and referred to Committee on Privileges and Elections.

By Senator Greer:

S. B. No. 56, A bill to be entitled "An Act to amend Article 1066 of the Code of Criminal Procedure of the State of Texas, 1925, regulating and fixing fees of justices of the peace in criminal actions tried before them, and adding Article 1066A, providing for a trial fee to be paid to the justice of the peace out of the county general fund in each case tried before him, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 57, A bill to be entitled "An Act to provide for increasing the territorial limits of any city of

more than five thousand inhabitants which has adopted a charter under Home Rule Amendment, Article 11, Section 5, of the Constitution; providing for annexation of adjacent territory by a majority vote of the qualified voters of the city affected, and of the territory annexed; and providing for the adjustment upon a just and equitable basis of the bonded indebtedness against the territory annexed, has theretofore been included in any irrigation district or water improvement district or water control and improvement district under any of the provisions of the General Laws or the Constitution, and carrying at the time such adjacent territory is annexed to said city, bonded indebtedness or flat rates due to the irrigation district, water improvement district or water control and improvement district, and repealing all laws general or special, in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Love:

S. B. No. 58, A bill to be entitled "An Act to amend Articles 612 and 613 of the Code of Criminal Procedure, concerning the mode of testing jurors in criminal cases, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Martin:

S. B. No. 59, A bill to be entitled "An Act to amend Article 2324 of the Revised Civil Statutes of 1925, providing the duties of official court reporters in this State; and to amend Article 2326 of the Revised Civil Statutes of 1925, fixing the compensation of official shorthand reporters in each judicial district in this State, and the official shorthand reporter of any county court, either civil or criminal, in this State, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 60, A bill to be entitled "An Act to amend Article 6954 of the Revised Civil Statutes of Texas, 1925, Chapter 6, Title 121, with reference to the mode of preventing horses, and certain other animals

from running at large in the counties named, so as to include the counties of Brazoria, Texas; Galveston, Texas; and Harris, Texas; and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Hornsby:

S. B. No. 61, A bill to be entitled "An Act to amend Article 3932 of the Revised Civil Statutes of Texas, 1925, relating to county clerks and their compensation for ex officio and other public services rendered so as to provide that the total amount paid the county clerk in one year shall not be less than fifty, nor more than fifteen hundred dollars, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Wirtz:

S. B. No. 62, A bill to be entitled "An Act creating a more efficient road system for Hays County, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners' court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners' court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal Government; authorizing the commissioners' court of Hays County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

Committees Report.

The committees appointed to notify the Governor and the House that the Senate had completed its organization, reported to the Lieutenant Governor that they had performed their assignments.

Messages From the Governor.

The Chair recognized the Doorkeeper who introduced a messenger from the Governor with the following messages:

Austin, Texas, Jan. 9, 1929.

Hon. Barry Miller, President of the Senate, Capitol.

Dear Governor Miller: I hand you herewith supplemental list of persons appointed by me to the offices set opposite their names, and for the statutory term of office next ensuing, subject to the confirmation by the Senate, viz.:

Richard King, J. A. Whitten, J. B. Anderson, Live Stock Sanitary Commission.

Mrs. Eloween Mesch (three-year term), Mary Grigsby (three-year term), Lena Baker Thomas (two-year term), Grace Engblad (two-year term), members Board of Nurse Examiners.

Ed S. Russell, Erwin Joseph, Paul Carroll, John A. Weeks, C. Bryan Allison, The Texas State Board of Pharmacy.

Mrs. Arthur Hartman, Mrs. S. W. Dean, Mrs. J. Wallace Brosig, T. A. Lowe, J. J. Marek, The Washington State Park Commission.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

Executive Department,

Austin, Texas, Jan. 8, 1929.

Hon. Barry Miller, President of the Senate, Capitol.

Dear Governor Miller: I hand you herewith supplemental list of persons appointed by me to the offices set opposite their names, and for the statutory term of office next ensuing, subject to the confirmation by the Senate, viz.:

Jane Y. McCallum, Secretary of State.

Robert L. Robertson, Adjutant General.

W. R. Ely, Member Highway Commission.

Chas. McKamey, Commissioner of Labor Statistics.

F. C. Weinert, Tax Commissioner.

B. F. Williams, State Reclamation Engineer.

Clem C. Fain, Jr., Agent of Alabama and Cooshatta Indians.

Tom L. McCullough, Gus A. Amundsen, Jr., Member Texas Historical Board.

W. S. Pope, Casualty Insurance Commissioner.

J. W. DeWeese, Fire Insurance Commissioner.

Hon. P. A. Martin (vice McKinsey), Presiding Judge of Eighth Administrative Judicial District of Texas.

Hon. W. R. Chapman (vice Woodward), Presiding Judge of Seventh Administrative Judicial District of Texas.

Hon. J. P. Pool (vice Green), Presiding Judge of Fourth Administrative Judicial District of Texas.

Joseph D. Sayers, Stanhope Henry, Members Board of Pardon Advisers.

F. M. Law, Byrd E. White, Walter Lacy, Members Board of Directors of the Agricultural and Mechanical College of Texas.

J. W. Fitzgerald (vice Flowers), A. B. Mayhew, Members Board of Regents of State Teachers College.

W. H. Slay, S. C. Rowe, A. C. Barnes, N. L. Davis, O. O. Touchstone, Board of Managers of the North Texas Junior Agricultural and Industrial College.

J. A. Holzman, E. C. Smotherman, E. F. Lanham, J. P. Mockford, G. W. Ireland, F. G. Cook, W. R. Sanderson, State Board of Veterinary Medical Examiners.

A. W. Gould, W. P. Delafield, W. T. Beard, Maxwell C. Murphy, B. F. Theilen, H. W. Hoffer, State Board of Dental Examiners.

E. A. Camp, E. S. Orgain, L. R. Stoddard, John LeGory, W. T. Beavers, B. B. Hollis, W. H. Richardson, State Mining Board.

C. R. Wharton, Chester H. Bryan, Mrs. Earl Amerman, San Jacinto State Park Commissioners.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

Executive Department,

Austin, Texas, Jan. 9, 1929.

To the Honorable Senate of the State of Texas.

Sirs: I respectfully submit for your consideration and confirmation the names of all persons who have been appointed by me to the various positions indicated since the last Session of the State Legislature:

Court of Criminal Appeals Commission.

Members on the Commission to aid the Court of Criminal Appeals:

Hon. A. B. Martin of Hale County;
Hon. George E. Christian of Burnet
County.

Commission of Appeals.

Section "A."

Hon. Richard Critz of Williamson
County.

Section "B."

Hon. C. A. Leddy of Dallas Coun-
ty.

State Prosecuting Attorney.

Hon. A. A. Dawson of Van Zandt
County.

Justice of Courts of Civil Appeals.

Hon. J. F. Hickman, Chief Justice
of the Court of Civil Appeals for the
Eleventh Supreme Judicial District
(of Stephens County).

Hon. O. C. Funderbunk of East-
land County, Associate Justice of the
Court of Civil Appeals for the
Eleventh Supreme Judicial District.

Board of Pardon Advisors.

Hon. Stanhope Henry of Atascosa
County.

Game, Fish and Oyster Com-
missioner.

William J. Tucker of Gregg
County.

State Fire Insurance Com-
missioner.

J. W. DeWeese of Lamar County.

State Casualty Insurance Com-
missioner.

Hon. W. S. Pope of Jones County.

State Life Insurance Commissioner.

Hon. R. B. Cousins, Jr., of Palo
Pinto County.

State Service Officer.

Hon. Stayton M. Hankins of
Childress County.

Banking Commissioner.

James Shaw of Williamson County.

State Mine Inspector.

N. M. Bullock of Milam County

Members of State Examiners of
Land Surveyors.

L. L. Farr of Tom Green County.

Pink Bollworm Commission.

W. D. Farris of Ellis County; W.
K. Dickinson, Sr., of Lubbock
County; R. O. VonRoeder of Scurry
County; John Boogher of Ward
County; F. S. Puckett of Bexar
County.

Compensation Claim Board (Cotton).

Hon. C. R. Buchanan of Scurry
County; W. A. Dulin of Mitchell
County; T. H. Holbert of Mitchell
County.

Texas Library and Historical Com-
mission.

Rev. R. L. Irving of Jeff Davis
County; Miss Elizabeth Houston of
Bexar County.

Board of Water Engineers.

C. S. Clark of Cameron County.

Board of Dental Examiners.

Dr. Maxwell Murphy of Bell
County; Dr. B. F. Thielen of Lamar
County; Dr. H. W. Hoffer of Kauf-
man County.

Board of Nurse Examiners.

Mrs. Grace Engblad of Harris
County.

State Board of Health.

Dr. Joe Gilbert of Travis County,
(6 year term); Dr. A. A. Ross of
Caldwell County, (6 year term);
Dr. E. W. Wright of Montague
County, (4 year term); Dr. C. M.
Rosser of Dallas County, (4 year
term); Dr. W. A. King of Bexar
County, (2 year term); Dr. J. M.
Frazier of Bell County, (2 year
term).

Board of Regents of State Teachers
Colleges.

Hon. J. O. Guleke of Potter
County.

Board of Directors of the Technologi-
cal College.

F. E. Clarity of Tarrant County;
Hon. Houston Harte of Tom Green
County.

State Industrial Commission.

L. L. Shields of Coleman County.

Board of Examiners in Optometry.

Dr. Edward T. Jenison of Bexar County.

Board of Control.

Hon. Claude D. Teer of Travis County.

Indian Agent of the Alabama and Cooshatta Indian Tribes.

Clem F. Fain, Jr., of Polk County.

District Judges.

Fifty-first Judicial District Court: Hon. J. P. Hill of Tom Green County.

One Hundredth Judicial District Court: Hon. A. J. Fires of Childress County.

Sixty-first Judicial District Court: Hon. Ben F. Wilson of Harris County.

Fiftieth Judicial District Court: Hon. Ollie Newton of Baylor County.

Twenty-sixth Judicial District Court: Hon. W. H. Nunn of Williamson County.

First Judicial District Court: Hon. W. C. Ramsey of San Augustine County.

Criminal District Court No. 2 of Harris County, Hon. Langston King.

Seventeenth Judicial District Court: Hon. Frank P. Culver, Jr., Tarrant County.

Thirtieth Judicial District Court: Hon. A. D. Montgomery of Wichita County.

Judge of the County Court at Law of Cameron County.

Hon. John I. Kleiber of Cameron County.

District Attorneys.

One Hundredth Judicial District: Hon. David M. Fitzgerald of Hall County.

Eighty-third Judicial District: Hon. Roy R. Priest, Upton County.

Thirtieth Judicial District: Hon. R. O. Kenley, Jr., of Wichita County.

Thirty-second Judicial District: Hon. Geo. H. Mahan of Mitchell County.

Thirty-seventh Judicial District:

Hon. Lamar Seeligson of Bexar County.

Eighty-fourth Judicial District: Hon. J. A. Holmes of Hutchinson County.

Board of Commissioners of Pilots for Mouth of Brazos River and Bar.

Messrs. C. J. Rogan, Percy Beacroft, Gilmer Dingle, Charles Skinner and E. C. Tobey, all of Brazoria County.

Board of Commissioners of Pilots for Aransas Pass and River, Corpus Christi Bay, and Tributaries Navigation District.

Messrs. George R. Clark, E. J. Miller of Nueces County, John C. Sorenson of Aransas County, W. A. Scrivner of San Patricio County, Ed. Shoemaker of Nueces County.

Board of Commissioners of Pilots for Sabine District.

Hon. H. L. McNeil of Orange County.

Branch Pilots.

Mouth of Brazos River and Bar District: C. L. McKee of Brazoria County; S. W. Hudgins of Brazoria County; E. G. Smith of Brazoria County; Wm. Allan of Brazoria County.

Aransas Pass and River, Corpus Christi Bay, and Tributaries District: Messrs. C. B. Walker, Ben Anderson and Cooper B. Walker of Nueces County; S. C. Mathews of San Patricio County; Messrs. C. S. Spinney, J. E. Cotter, G. M. Roberts of Nueces County.

Sabine Bar District: Messrs. C. S. West and E. E. Sanford of Jefferson County.

Brazos DeSantiago Bar, Harbor and Rio Grande River and Bar District: Wallace L. Reed of Cameron County.

Galveston and Texas City Ports District: Messrs. H. L. Babcock, J. Calder, T. R. Dalehite, W. A. Leech, B. F. Pomeroy, A. M. Carlson, W. E. Hayman, Louis Locke, C. R. Megee, P. J. Stewart and A. C. Steinhart, all of Galveston County.

Public Weighers.

Public Weighers at Corpus Christi, Texas: Frank W. Crook; M. B. Roddy.

Public Weighers of Harris County: Messrs. Geo. Prowse and H. C. Hix of Houston.

Public Weighers of Jefferson County: Messrs. A. N. Weston and Roland Jones, Jr., of Beaumont.

Public Weighers of Hunt County: Messrs. Henry Blalock and J. H. Franklin of Greenville.

Public Weighers at Fort Worth, Texas: W. L. Goodwin.

Public Weighers at Gainesville, Texas: Frank Cummins.

Public Weighers at Sherman, Texas: R. L. Campbell.

Park Commissioners of San Jacinto Battle Grounds.

Hon. C. R. Wharton, Houston; Hon. Chester H. Bryan, Houston; Mrs. Earl Amerman, Houston.

Commissioners of Gonzales State Park.

Mrs. W. T. Dunning, Gonzales; Mrs. Kent E. Cardien, Gonzales; Mrs. B. N. Peck, Jr., Gonzales.

Commissioners of Washington State Park.

T. A. Lowe, Brenham; J. J. Marek, Brenham.

Members of Texas Prison Board.

Dr. A. Henry Cohen, Galveston County; Hon. F. L. Tiller, Fort Bend County; Dr. A. C. Scott, of Bell County.

Respectfully submitted,
DAN MOODY,
Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

Simple Resolution No. 7.

Senator Woodul sent up the following resolution:

Whereas, Mr. R. C. Burrows of Houston, is on the floor of the Senate, and

Whereas, Mr. Burrows has a message which will no doubt be of considerable interest to the members of this body,

Therefore, Be It Resolved, that Mr. Burrows be invited to address the Senate.

The resolution was read and adopted.

Senators Woodul, Pollard and Patton were appointed to conduct Mr. Burrows to the platform.

Mr. Burrows Speaks.

Senator Woodul introduced Mr. Burrows who briefly addressed the Senate, extending them an invitation to attend the annual gridiron banquet of the Houston Salesmanship Club on January 19, at Houston.

On motion of Senator Pollard, the invitation was accepted.

Simple Resolution No. 8.

Senator Russek sent up the following resolution:

Whereas, changed schedules of mail service have made inadequate the present force in the Senate Post Office and prompt and efficient delivery of mail is necessary to the efficient conduct of the duties of the senators, therefore

Be It Resolved, that the position of assistant Postmistress be and the same is hereby created, the position to be filled by appointment by the Lieutenant Governor.

RUSSEK.
WIRTZ.

The resolution was read and adopted.

The Chair announced the appointment of Mrs. F. E. Seawell for this position.

Simple Resolution No. 9.

Senator Love sent up the following resolution:

Resolved, that the Senator from Dallas be added to the Committee on Educational Affairs.

The resolution was read and adopted.

Senate Joint Resolution No. 4.

Senator Love sent up the following resolution:

A Joint Resolution proposing and submitting to the people of the State of Texas an amendment to Section 10 of Article 1, authorizing the Legislature to enact a law providing for the prosecution of felonies by information as well as by indictment, and to modify the grand jury system.

Read first time and referred to Committee on Constitutional Amendments.

Senate Joint Resolution No. 5.

By Berkeley, by Request.

Proposing an amendment to Section 13, Article 5, of the Constitu-

tion of the State of Texas, providing for the constitution of grand and petit juries in the district court and the number of men required to constitute the same in both civil and criminal cases, and providing that in civil cases, such juries shall number only six men and that verdicts may be returned by less than the full number of jurors, provided that at least four jurors concur in the verdict and providing that when one or more jurors, not exceeding two in civil cases die or are disabled pending the trial of the case the remainder of the jurors shall have the power to render the verdict.

Read first time and referred to Committee on Constitutional Amendments.

Simple Resolution No. 10.

Senator Wirtz sent up the following resolution:

Whereas, since the adjournment of the last session of the Fortieth Legislature two of the distinguished and beloved members of the Senate have departed this life, namely, Senator I. D. Fairchild, of Lufkin, and Senator H. F. Triplett, of Beaumont, Senator Triplett also being a member of the Senate of the 41st Legislature, and

Whereas, the Senate desires to pay its respects to the memory of the departed senators in a fitting and appropriate manner, therefore

Be It Resolved, that a committee of three be appointed by the Lieutenant Governor to make necessary arrangements for a fitting memorial service to the memories of the Senators Fairchild and Triplett.

Wirtz, Holbrook, Thomason, McFarlane, Woodward, Miller.

The resolution was read and adopted.

The Chair appointed Senators McFarlane, Wirtz and Thomason.

Simple Resolution No. 11.

Senator Westbrook sent up the following resolution:

Hon. Barry Miller, President of the Senate.

Sir:

We, your Chairmen on Engrossed Bills and Enrolled Bills acting under direction of the Senate caucus, ask the approval of the Senate for the following clerks and assistants on Engrossed and Enrolled Bills:

Carl Boes, Chief Engrossing

Clerk, to receive \$10.00 per day.

Miss Clarice Morgan, Miss Helen Bartlett, Miss Zella Schultz, Miss Mary Beth Taylor, Mrs. Pauline Nathan, and Fred Korth, Assistant Engrossing Clerks to receive \$5.00 per day.

W. P. Williams, Chief Enrolling Clerk, to receive \$10.00 per day.

Miss Reba Randall, Miss Alma Joe Roberts, Miss Neva Harris, Mrs. Lola Lawrence, Mrs. Hugh Harris, Edwin Cowan and Lloyd Mann, Assistant Enrolling Clerks, each to receive \$5.00 per day.

William Floyd to be Filing Clerk to receive \$5.00 per day.

WESTBROOK,

Chairman Engrossing Committee.

WITT,

Chairman, Enrolling Committee.

The resolution was read and adopted.

Simple Resolution No. 12.

Senator Holbrook sent up the following resolution:

Whereas, Mrs. Helen B. Moore of Texas City, Texas, a member of the House of Representatives, is now in the Senate Chamber,

Therefore, Be It Resolved, that she be invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Holbrook, Stevenson and Woodward as a committee to escort Mrs. Moore to the platform.

Mrs. Moore Speaks.

Senator Holbrook introduced Mrs. Moore, who briefly addressed the Senate.

Committee Appointed.

The Chair announced the appointment of the following committee to count votes in the recent election for Governor and Lieutenant Governor, in accordance with S. C. R. No. 2:

Senators Martin, Hyer, Small, Gainer and Hardin.

Senate Concurrent Resolution No. 3.

Senator Woodward sent up the following resolution:

Whereas, the Hon. Dan Moody, Governor, desires to submit to a joint session of the State Legislature a message in the House of Representatives at 3:30 o'clock p. m. on

this the 9th day of January, A. D., 1929.

Therefore, Be It Resolved by the Senate, House of Representatives concurring, that a joint session of the House of Representatives and of the Senate, convene in the House of Representatives at 3:30 p. m. on this the 9th day of January, A. D., 1929, for the purpose of hearing and receiving the message of the Governor.

The resolution was read and adopted.

Simple Resolution No. 13.

Senator Wirtz sent up the following resolution which was read and adopted:

Be It Resolved, that Senator Gainer from Brazos be added to the Committee on Highways and Motor Traffic.

Recess.

On motion of Senator Hyer, the Senate, at 10:50 a. m., recessed until 3 o'clock.

After Recess.

The Senate was called to order, pursuant to recess, at 3 o'clock p. m., by Lieutenant Governor Barry Miller.

Committee From the House.

The Chair recognized the door-keeper who introduced a committee from the House which announced that the organization of the House had been completed.

Bills and Resolutions.

By Senator McFarlane:

S. B. No. 63, A bill to be entitled "An Act making provision for the purchase and installment by the Board of Prison Commissioners of machinery and equipment for the manufacture of motor vehicle number plates, seals and road signs, and markers; making an appropriation to carry out the purposes of the Act; and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator McFarlane:

S. B. No. 64, A bill to be entitled "An Act defining lobbying; requiring any person, firm, unincorporated association or otherwise or corporation, their employees or anyone em-

ployed by them or their employees, etc., to file certain information with the Secretary of State and receive a certificate before any of said parties may be heard by the Legislature or any member thereof; requiring all of said parties to file a report with the Secretary of State at the close of each legislative session containing certain information, prohibiting contingent employment of legislative counsel or agents; prohibiting any public official, any elective or appointive officer or employee or representative of anyone having the privileges of the floor of either house from acting as a legislative counsel or agent receiving any compensation for representing anyone before the Legislature; prohibiting lobbyists on the floor of the legislature while in session; providing that the Secretary of State shall collect a fee for issuing lobbyist certificates; providing a penalty; repealing all laws in conflict herewith; providing for contingency in case any provision is found unconstitutional, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Hornsby:

S. B. No. 65, A bill to be entitled "An Act to amend Article 3887 of the Revised Civil Statutes of 1925, relating to the fees of the county attorney in any county having a population in excess of one hundred thousand inhabitants where there is no district attorney, so as to include any county having less than one hundred thousand inhabitants but containing a city with a population in excess of forty-four thousand inhabitants where there is no district attorney, providing a maximum compensation payable to him out of the fees collected by such county attorney, authorizing reimbursement out of fees collected for certain expenses and authorizing the employment by such county attorney of assistants, investigators, and stenographers, fixing their salaries and providing a method of payment thereof, and providing that such county attorney may collect fees for services rendered in corporation courts and specifying such fees, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Hornsby:

S. B. No. 66, A bill to be entitled "An Act to make valid and enforceable written provisions or agreements for the arbitration of issues and disputes."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Greer:

S. B. No. 67, A bill to be entitled "An Act to amend Chapter 40, Acts of the Fortieth Legislature, First Called Session, relating to the extension of teachers' certificates, and declaring an emergency."

Read first time and referred to Committee on Education.

By Senators Greer and Love:

S. B. No. 68, A bill to be entitled "An Act to appropriate from the general revenue out of any funds not otherwise appropriated the sum of \$175,000, or so much thereof as may be necessary to be applied to the valid claims for the years 1927-1928 and the sum of \$200,000 or so much thereof as may be necessary to supplement the appropriation for the year 1929-1930, to carry out the provisions of Chapter 36, General and Special Laws of the Fortieth Legislature, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators Woodul, Moore and Holbrook:

S. B. No. 69, A bill to be entitled "An Act to provide for the extension of the term of Oil and Gas Permits Nos. 11652, 11653, 11655, 11680 and 11681 from a period of two years to a period of five years from their respective dates."

Read first time and referred to Committee on State Affairs.

By Senator Hornsby:

S. B. No. 70, A bill to be entitled "An Act providing for the purchase of certain real estate located in the city of Austin, north of the capitol building and south of Fourteenth Street for State purposes; making an appropriation for such purpose, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Neal:

S. B. No. 71, A bill to be entitled "An Act to amend Article 2883, and Article 2889-A, R. S., 1925, relating

to certification of teachers in the public free schools, and salaries of teachers holding such certificates; repealing all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Education.

By Senator McFarlane:

S. B. No. 72, A bill to be entitled "An Act making it lawful for the commissioners' court of Clay, Archer, Baylor and Young counties to pay out of the general fund of such counties bounties for the destruction of predatory animals, providing that on petition of two hundred free holders the commissioners' court of such county may provide amount of bounty and method of proof to entitle claimant to obtain such bounty, and prescribing manner of payment, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Witt, et al:

S. B. No. 73, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to acquire, operate, and manage seven boys dormitories at the University of Texas, and to furnish and equip the same, and dining hall building in connection therewith; authorizing said regents to prescribe plans and specifications not inconsistent herewith, and to accept said buildings when completed without cost to the State of Texas; authorizing said regents to make contracts with reference to the acquisition, management, and control of said buildings, and appropriating the sum of one hundred and fifty thousand (\$150,000) dollars with which to purchase furniture, fixtures, and appointments therefor, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Hyer:

S. B. No. 74, A bill to be entitled "An Act to amend Article 460A of the Revised Civil Statutes of the State of Texas adopted at the Regular Session of the Thirty-eighth Legislature, 1925, so as to provide that persons who desire to marry shall procure a license from the county clerk directed to all persons authorized by law to celebrate the rites of matrimony; providing that the county clerk at the time the license is applied for shall examine

the applicant or applicants for the license under oath, as to age and residence, which shall be reduced to writing by the county clerk and subscribed to by the applicant or applicants; and providing in case either party is absent when application is made an affidavit shall be made by person other than the contracting party as to age and residence of the absent party; providing for the filing of said affidavit in the county clerk's office; providing that application for license shall be made at least three and not more than thirty days before the license shall be issued; providing for the recording of applications for license by the county clerk in a book kept for the purpose and marked "Notice of Intention to Marry"; and providing that after the expiration of three and not more than thirty days after the signing of the notice of intention to marry the county clerk may issue said license, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Williamson:

S. B. No. 75, A bill to be entitled "An Act to amend Articles 4513, 4514, 4516 and 4523, Chapter Seven, Revised Statutes of Texas of 1925, providing for the appointment of a Board of Nurse Examiners; prescribing their qualifications and duties; providing how meetings of said Board shall be called; providing for the appointment of an Educational Secretary and prescribing her qualifications and duties; and providing for the issuance of temporary permits to graduate nurses under certain conditions, and prescribing the fee to be paid therefor."

Read first time and referred to Committee on State Affairs.

Simple Resolution No. 14.

Senator Cunningham sent up the following resolution:

Whereas, Senator Margie E. Neal has long been interested in agriculture and has worked continuously in the interest of agriculture as a newspaper publisher and promoter of agricultural fairs, and is a real dirt "woman farmer."

Therefore, be it resolved that she be added to the Committee on Agriculture.

The resolution was read and adopted.

Simple Resolution No. 15.

Senator Pollard sent up the following resolution which was read and adopted:

Whereas, on the 6th day of January, A. D. 1929, Dan Moody, Jr., arrived at the Governor's Mansion as the only son of Governor and Mrs. Dan Moody; and,

Whereas, the Senate of Texas rejoices with the fond parents in the arrival of their auburn-haired son, and prays God's richest blessings on the youngster and his fond parents.

Therefore, Be It Resolved by the Senate of Texas that Dan Moody, Jr., be, and hereby is, elected Mascot of the Senate of the Forty-first Legislature of Texas.

Tomas G. Pollard, Julian C. Hyer, John W. Hornsby, W. E. Thomson, Carl C. Hardin, Will M. Martin, A. Parr, Joe M. Moore, J. W. Stevenson, Gus Russek, Pink L. Parrish, Thos. B. Love, C. C. Small, Benjamin Franklin Berkeley, Tom DeBerry, Edgar E. Witt, Walter I. Woodul, Eugene Miller, Margie E. Neal, Julian P. Greer, Williamson, McFarlane, J. W. E. H. Beck, C. S. Gainer, Oliver Cunningham, Nat Patton, Holbrook, Walter C. Woodward, Ed Westbrook, A. J. Wirtz.

Simple Resolution No. 16.

Senator Witt sent up the following resolution:

Whereas, the duties of Assistant Journal Clerk of the Senate are as important as those of Journal Clerk and said position is now filled by one who has filled various positions in both branches of the Legislature, including Journal Clerk of the Senate, and always with the highest efficiency and courtesy, therefore

Be It Resolved by the Senate, that the salary of the Assistant Journal Clerk of the Senate be, and the same is hereby, made the same as that of the Journal Clerk.

The resolution was read and defeated by the following vote:

Yeas—9.

Gainer.	Small.
Greer.	Stevenson.
Love.	Witt.
Moore.	Woodward.
Neal.	

Nays—17.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Holbrook.	Russek.
Hornsby.	Thomason.
Hyer.	Williamson.
Martin.	Woodul.
McFarlane.	

Absent.

Hardin.	Westbrook.
Miller.	Wirtz.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Jan. 9, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 1. Relating to the joint rules of the Forty-first Legislature.

S. C. R. No. 2. Relating to the appointment of a committee to canvass the returns in the recent election of the governor and the lieutenant governor, and to make all necessary arrangements for their inauguration.

S. C. R. No. 3. Inviting the Governor to address a joint session of the Forty-first Legislature at 3:30 p. m. today.

The Speaker announces the appointment of the following committee to canvass the returns in the recent election for governor and lieutenant governor and to make all necessary arrangements for their inauguration on the part of the House:

Murphy, Waddell, Ackerman, Hopkins, Chastain.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Simple Resolution No. 17.

Senator Pollard sent up the following resolution which was read and adopted:

Whereas, there is now within the presence of the Senate Chamber, a former distinguished member of the Senate, the Hon. Lloyd E. Price.

Now, therefore, Be It Resolved by the Senate that Senator Price be invited to address the Senate.

POLLARD,
WOODUL,
BECK.

The Chair appointed Senators Pollard, Thomason and Beck to escort Senator Price to the platform.

Senator Price Speaks.

Senator Beck introduced Senator Price who briefly addressed the Senate.

Joint Session.

At 3:30 o'clock p. m. the Chair announced that the time for the joint session had arrived and the Senate retired to the House for the Governor's Message.

After Joint Session.

The Senate returned from the joint session at 4:40 o'clock p. m.

Adjournment.

On motion of Senator Woodward, the Senate, at 4:42 p. m., adjourned until 10 o'clock Thursday morning.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Jan. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 1 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Report.

Committee Room,

Austin, Texas, Jan. 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 60, A bill to be entitled "An Act to amend Articles 6954 of the Revised Statutes of Texas, 1925, Chapter 6, Title 121, with reference to the mode of preventing horses, and certain other animals from running at large in the counties named,

so as to include the counties of Brazoria, Galveston and Harris, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following Committee Amendments: and be not printed.

Add, in the body of the Bill, page 2, line 2, after the word "Wilbarger"—Jim Wells, Duval.

Add, in the caption of the Bill, after the word "Harris"—Jim Wells, and Duval.

PARR, Chairman.

THIRD DAY.

Senate Chamber

Austin, Texas,

Thursday, Jan. 10, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Miller.
Berkeley.	Moore.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Willamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent.

Neal.	Parrish.
Parr.	

Absent—Excused.

Wirtz.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Parrish:

S. B. No. 76, A bill to be entitled "An Act to amend Chapter 6, Title

93, Revised Civil Statutes of Texas, 1925, and Chapter 5, Title 14, Revised Criminal Statutes of Texas, 1925, relating to public weighers, by amending Articles 5680, 5681, 5688, 5689, 5691, 5694, 5695, 5704; repealing Articles 5682 and 5692, in Chapter 6, Title 93, Revised Civil Statutes of Texas, 1925, and amending Article 1052; repealing Article 1047; adding Articles 1052a, 1052b, 1052c, 1052d, 1052e to Revised Criminal Statutes of Texas, 1925; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Hornsby:

S. B. No. 77, A bill to be entitled "An Act providing for the regulations of gins, ginners, ginning; the licensing of ginners; prescribing the conditions of a ginner's bond; providing for proper packing, wrapping, marking and providing for weighing of seed and lint cotton and cottonseed and keeping a record of same; providing for the collection of license fees to be used by the Commissioner of Agriculture for the enforcement of this Act; requiring certain reports; providing penalties for the violation of this Act; defining certain terms; repealing certain articles of the Statute and all laws and parts of laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Hornsby:

S. B. No. 78, A bill to be entitled "An Act amending Articles 1595 and 1600 of the Revised Civil Statutes of 1925, so as to permit in counties having a population of not less than 1100 nor more than 1400, according to the United States census for the year 1920, the removal, by a majority vote, of the county seat from any point in the county located more than five miles from the geographical center of the county to another point more than five miles from said geographical center of the county; enacting the necessary provisions in amending said articles necessary and incidental to said subject and purpose; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Wirtz and Holbrook:

S. B. No. 79, A bill to be entitled